

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17919 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- DHANHAHA District- West Champaran

Manish Sah S/O Late Lalji Sah R/O Village- Kukurha, P.S- Sikarpur, Distt.-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dhanha PS Case No. 72 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
3525.840 litres of illicit English liquor was recovered from
DCM Truck.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been
recovered from the conscious possession of the petitioner.
The petitioner has got no concern with the alleged recovery



of liquor. It is submitted that petitioner is neither the owner nor the driver of the seized vehicle. It is further submitted that the name of the petitioner has transpired on the confessional statement of apprehended co-accused person namely, Bhim Kumar. The petitioner is in custody since 03.01.2025 and has got five criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court vide orders dated 18.09.2024 and 30.10.2024 passed in Cr. Misc. Nos. 49286 of 2024 and 78153 of 2024 respectively.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge if not already framed*** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhanha PS



Case No. 72 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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